

NOV 16 2001
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COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

2001 NOV 16 P 4:20

In the Matter of)

MUR 5211

Friends of Dave Eshleman and)

Joe Rodriguez, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT #2

I. ACTIONS RECOMMENDED

Accept the attached conciliation agreement and close the file.

II. DISCUSSION

In this matter the Commission found reason to believe that Friends of Dave Eshleman and Joe Rodriguez, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(6)(A) by failing to report two campaign contributions totaling \$60,000, received after the 20th day but more than 48 hours before the general election, within 48 hours of receipt of the contributions. The contributions were in the form of loans from the candidate's personal funds. The Commission approved a conciliation agreement containing an admission of the violation and a civil penalty

Accordingly, this Office recommends that the Commission accept the attached signed conciliation agreement submitted by Friends of Dave Eshleman and Joe Rodriguez, as treasurer, and close the file in this matter.

III. RECOMMENDATIONS

1. Accept the attached signed conciliation agreement submitted by Friends of Dave Eshleman and Joe Rodriguez, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence H. Norton
General Counsel

Date

11/16/01

BY:

Rhonda J. Vosdigh
Rhonda J. Vosdigh
Acting Associate General Counsel

Attachment:
Signed conciliation agreement

Staff assigned:
Donald E. Campbell
Thomas J. Andersen